



**US Army Corps  
of Engineers®**

# ***Office of The Principal Assistant Responsible For Contracting (OPARC)***

*One Corps serving The Army and the Nation*

## **SUBJECT: RATIFICATIONS**

1. Purpose: The purpose of presenting the "Ratifications" topic is to place more emphasis on the PARC Policy of Zero Tolerance.

### **2. Facts:**

a. The number of ratifications for Fiscal Year 2003 has more than doubled. Three have exceeded the over \$100,000 threshold. The USACE Commander has approved one of the three. The other two are in process to the CG for signature.

b. The Federal Acquisition Regulation defines a ratification as an unauthorized commitment. The contracting office is responsible for the unauthorized commitment of funds regardless of who made it. Ratification authorities are delegated without authority to redelegate based on EFARS 1.602-3. Additional references are Federal Acquisition Regulation (FAR) 1-602.3 and AFARS 5101.602.3 The PARC provides signature for ratifications in the amount of \$100,000 or less, the Chiefs of Contracting for \$10,000 or less. The Commanding General signs the ratification if it is over \$100,000.

c. Reference PARC Instruction Letter 2000-16, Unauthorized Procurements dated 6

June 200 and PARC Memorandum dated 13 December 2001, SUBJECT: Ratification. These references advise that the PARC has "Zero Tolerance for unauthorized Commitments.

d. Efforts must be taken to seriously reduce the number of ratifications.

One thing that the Contracting Offices can do is advise each Project Managers office of the Options to contracts that are available at least one year to nine months ahead of the expiration date. This provides the PMO an opportunity to program for the funds that are needed ahead of the Option expiration date.

e. Establish rules and regulations, if none are in place, as to what disciplinary measures will be taken for the first violation, repeat violations, etc. Request Division Chiefs and other contracting personnel hold bi-annual meetings to evaluate how the process is working. A copy of the report should be provided to the PARC's Office. The AMS Reviews can also include the evaluation data.

f. The Corps is committed to Zero Tolerance of Ratifications.

Minnie L. Carr  
OPARC